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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,720	03/29/2004	N. Craig Brown	220/40789/Case 210	1652

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TREXLER, BUSHNELL, GIANGIORGI,  
BLACKSTONE & MARR, LTD.  
105 WEST ADAMS STREET  
SUITE 3600  
CHICAGO, IL 60603

EXAMINER

BEAMER, TEMICA M

ART UNIT PAPER NUMBER

2681

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/811,720	Applicant(s) BROWN, N. CRAIG	
	Examiner Temica M. Beamer	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 December 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by La Medica, Jr. et al (La Medica, Jr.).

Regarding claim 1, La Medica, Jr. discloses a radio receiver having a plurality of features programmable by a user, data relating to the programmable features defining a user-data set-up configuration, the radio receiver comprising: inherently a housing; an auxiliary memory disposed within said housing, said auxiliary memory configured such that a plurality of user-data set-up configurations are storable therein a working memory disposed within said housing, said working memory configured such that at least one of said user-data set-up configurations for use by the radio receiver is storable in said working memory; and wherein said radio receiver is configured to manage said plurality

of set-up configurations (col. 6, line 56-col. 7, line 43 and col. 20, line 56-col. 21, line 18; figure 2).

Regarding claim 2, La Medica, Jr. discloses a radio receiver as defined in claim 1, wherein the radio receiver is configured such that a plurality of user-data set-up configurations are stored and managed within said radio receiver without using a computer in communication with the radio receiver (col. 6, line 56-col. 7, line 43 and col. 20, line 56-col. 21, line 18; figure 2).

Regarding claim 3, La Medica, Jr. discloses a radio receiver as defined in claim 1, further comprising: a microprocessor disposed within said housing and in communication with said auxiliary memory, and wherein said microprocessor is configured to manage said plurality of user-data set-up configurations (figure 2).

Regarding claim 4, La Medica, Jr. discloses a radio receiver as defined in claim 3, wherein said working memory is controlled by said microprocessor (figure 2).

Regarding claim 5, La Medica, Jr. discloses a radio receiver as defined in claim 1 wherein said working memory is non-volatile (col. 13, lines 14-28).

Regarding claim 6, La Medica, Jr. discloses a radio receiver as defined in claim 1, wherein said working memory comprises an EEPROM (col. 13, lines 14-28).

Regarding claim 7, La Medica, Jr. discloses a radio receiver as defined in claim 1, wherein said working memory is configured such that contents of said working memory is not lost when power is removed from the radio receiver (col. 13, lines 14-28).

Regarding claim 8, La Medica, Jr. discloses a radio receiver as defined in claim 1, wherein said auxiliary member is non-volatile (col. 13, lines 14-28).

Regarding claim 9, La Medica, Jr. discloses a radio receiver as defined in claim 1, wherein said auxiliary memory comprises an EEPROM (col. 13, lines 14-28).

Regarding claim 10, La Medica, Jr. discloses a radio receiver as defined in claim 1, wherein said auxiliary memory is configured such that contents of the auxiliary memory is not lost when power is removed from the radio receiver (col. 13, lines 14-28).

Regarding claim 11, La Medica, Jr. discloses a radio receiver having a plurality of features programmable by a user, data relating to the programmable features defining a user-data set-up configuration, the radio receiver comprising: a housing; a memory disposed within said housing, said memory storing a plurality of user-data set-up configurations; a working memory pointer, wherein said working memory pointer identifies the user-data set-up configuration in use by the radio receiver, and wherein said radio receiver is configured to manage said plurality of set-up configurations (col. 6, line 56-col. 7, line 43 and col. 20, line 56-col. 21, line 18; figure 2).

Regarding claim 12, La Medica, Jr. discloses a radio receiver as defined in claim 11, wherein the radio receiver is configured such that a plurality of user-data set-up configurations are stored and managed without using a computer in communications with the radio receiver configurations (col. 6, line 56-col. 7, line 43 and col. 20, line 56-col. 21, line 18; figure 2).

Regarding claim 13, La Medica, Jr. discloses a radio receiver as defined in claim 11, further comprising: a microprocessor configured to manage said plurality of user-data set-up configurations configurations (col. 6, line 56-col. 7, line 43 and col. 20, line 56-col. 21, line 18; figure 2).

Regarding claim 14, La Medica, Jr. discloses a radio receiver as defined in claim 11, wherein said memory is non-volatile (col. 13, lines 14-28).

Regarding claim 15, La Medica, Jr. discloses a radio receiver as defined in claim 11, wherein said memory comprises an EEPROM (col. 13, lines 14-28).

Regarding claim 16, La Medica, Jr. discloses a radio receiver as defined in claim 11, wherein said memory is configured such that contents of said memory is not lost when power is removed from the radio receiver (col. 13, lines 14-28).

Regarding claim 17, La Medica, Jr. discloses a method for managing multiple user-data set-up configurations for a radio receiver comprising the steps of: providing a radio receiver including a housing, an auxiliary memory disposed within said housing configured such that a plurality of user-data set-up configurations are storable therein, a working memory disposed within said housing, said working memory storing at least one of said user-data set-up configurations; wherein said radio receiver is configured to manage said plurality of user-data set-up configurations; and operating the receiver to store data relating to the multiple user-dataset-up configurations in said auxiliary memory (col. 6, line 56-col. 7, line 43 and col. 20, line 56-col. 21, line 18; figure 2).

Regarding claim 18, La Medica, Jr. discloses a method as defined in claim 17, further including the step of: operating the radio receiver to retrieve data relating to one of the multiple user-data set-up configurations from said auxiliary memory and to move said data to said working memory (col. 6, line 56-col. 7, line 43 and col. 20, line 56-col. 21, line 18; figure 2).

Regarding claim 19, La Medica, Jr. discloses a method for managing multiple user-data set-up configurations for a radio receiver comprising the steps of: providing a radio receiver including; a housing, a memory disposed within said housing, said memory storing a plurality of user-data set-up configurations, wherein said radio receiver is configured to manage said plurality of user-data set-up configurations, and a working memory pointer; and directing said working memory pointer to identify one of said plurality of user-data set-up configurations to be used by the radio receiver (col. 6, line 56-col. 7, line 43 and col. 20, line 56-col. 21, line 18; figure 2).

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

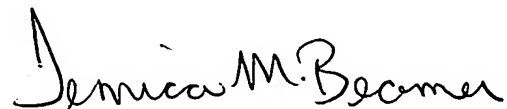
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Beamer whose telephone number is (571) 272-7797. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 7:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Temica M. Beamer  
Primary Examiner  
Art Unit 2681

May 16, 2005



**TEMICA BEAMER  
PRIMARY EXAMINER**